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EXAMINER MEHRPOUR, NAGHMEH				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/657,942

**Applicant(s)**

MARTIN ET AL.

**Examiner**

MELODY MEHRPOUR

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 June 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/CD)  
Paper No(s)/Mail Date 4/29/10
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 06/03/10 has been entered.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) filed references listed in the information Disclosure submitted on 04/29/10 has been considered by the examiner (see attached PTO-1449).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. **Claims 1-45**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Eichert et al (US Patent 6,393,474), in view of Forslow (US Patent application 2002/0069278).

Consider claim 1, Eichert et al. discloses a method for hardware acceleration in a wired local area network, the method comprising:

creating at least one policy to be distributed among at least one of a plurality of access point groups (the system administrator inputs instructions representing policy - Figure 3 - : Column 3, Lines 42-57; Column 7, Lines 1-7; Column 8, Lines 31-42; Abstract; associating said at least one policy with **only** a particular one of said access point groups (policy is distributed to the different groups of network devices and end systems - Figures 1 and 3 - Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63); and

*distributing said associated at least one policy to at least one access point in said particular one of the access point groups (policy is distributed to the network devices and end systems - Figures 1 and 3 - Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63; Column 9, Lines 11-26).*

However, Eichert et al. discloses that this administration of a network occurs in a wired network such as a LAN or WAN, and fails to disclose that this happens in a hybrid wired/wireless network such as a WLAN.

In related prior art, Forslow discloses a centralized administration of policies to one or more routers which act as access points to wireless users (*Abstract; Page 4, Paragraph 0066; Page 5, Paragraph 0088; Column 6, Lines 0091 & 0097- Figures 1-2*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Forslow with those of Eichert et al. because it is desirable to implement a policy management system that can be dynamically controlled in a wireless network, due to their wide popularity and the ever increasing mobility of society.

Consider claim 10, Eichert et al. discloses a machine-readable storage, having stored thereon a computer program having at least one code section for hardware acceleration in a wired local area network, the at least one code section executable by a machine for causing the machine to perform the steps comprising:

creating at least one policy to be distributed among at least one of a plurality of access point groups (*the system administrator inputs instructions representing policy - Figure 3 - Column 3, Lines 42-57; Column 7, Lines 1-7; Column 8, Lines 31-42; Abstract*);

*associating said at least one policy with a particular one of said access point groups (policy is distributed to the different groups of network devices and end systems - Figures 1 and 3 - Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63); and*

*distributing said associated at least one policy to at least one access point in said plurality of access point groups (policy is distributed to the network devices and end systems - Figures 1 and 3 - Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63; Column 9, Lines 11-26).*

However, Eichert et al. discloses that this administration of a network occurs in a wired network such as a LAN or WAN, and fails to disclose that this happens in a hybrid wired/wireless network such as a WLAN.

In related prior art, Forslow discloses a centralized administration of policies to one or more routers which act as access points to wireless users (*Abstract; Page 4, Paragraph 0066; Page 5, Paragraph 0088; Column 6, Lines 0091 & 0097 - Figures 1-2*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Forslow with those of Eichert et al. because it is desirable to implement a policy management system that can be dynamically controlled in a

- wireless network, due to their wide popularity and the ever increasing mobility of society.

Consider claim 19, Eichert et al. discloses a system for hardware acceleration in a wired local area network, the method comprising:

means for creating at least one policy to be distributed among at least one of a plurality of access point groups (*the system administrator inputs instructions representing policy - Figure 3 ~ Column 3, Lines 42-57; Column 7, Lines 1-7; Column 8, Lines 31-42; Abstract*);

*means for associating said at least one policy with a particular one of said access point groups (policy is distributed to the different groups of network devices and end systems - Figures 1 and 3 - Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63); and*

*means for distributing said associated at least one policy to at least one access point in said plurality of access point groups (policy is distributed to the network devices and end systems - Figures 1 and 3 - Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63," Column 9, Lines 11-26).*

However, Eichert et al. discloses that this administration of a network occurs in a wired network such as a LAN or WAN, and fails to disclose that this happens in a hybrid wired/wireless network such as a WLAN.

In related prior art, Forslow discloses a centralized administration of policies to one or more routers which act as access points to wireless users (*Abstract," Page 4,*

*Paragraph 0066,"*

*Page 5, Paragraph 0088; Column 6, Lines 0091& 0097-Figures 1-2).*

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Forslow with those of Eichert et al. because it is desirable to implement a policy management system that can be dynamically controlled in a wireless network, due to their wide popularity and the ever increasing mobility of society.

Consider claim 2, as applied to claim 1 above, Eichert et al. as modified by Forslow further discloses identifying said associated policy to be distributed to said particular one of said access point groups (*Eichert et al. - Column 2, Lines 6-27; Column 7, Lines 1-6 & 48-56*).

*Consider claim 3, as applied to claim 2 above, Eichert et al. as modified by Forslow further discloses conditioning said selection of said identified policy upon occurrence of an event (Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56).*

Consider claim 4, as applied to claim 3 above, Eichert et al. as modified by Forslow further discloses distributing said identified policy to said particular one of said access point groups upon said occurrence of said event (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-10*).

Consider claim 5, as applied to claim 4 above, Eichert et al. as modified by Forslow further discloses associating said at least one policy with a particular access point in



said particular one of said access point groups (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider claim 6, as applied to claim 5 above, Eichert et al. as modified by Forslow further discloses distributing said identified policy to said particular access point in said particular one of said access point groups (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider claim 7, as applied to claim 1 above, Eichert et al. as modified by Forslow further discloses communicating said at least one policy from at least one of a switch and a server to at least one access point in said plurality of access point groups (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider claim 8, as applied to claim 7 above, Eichert et al. as modified by Forslow further discloses broadcasting said at least one policy from said at least one of a switch and to the at least a portion of the plurality of access points (Eichert et al. –Column 4 lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 :: Forslow . Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095).

Consider claim 9, as applied to claim 8 above, Eichert et al. as modified by Forslow further discloses distributing said at least one policy via at least one messaging protocol message (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8,*

*Lines 31-42; Column 9, Lines 1-32 :: Forslow- Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095).*

Consider claim 11, as applied to claim 10 above, Eichert et al. as modified by Forslow further discloses code for identifying said associated policy to be distributed to said particular one of said access point groups (*Eichert et al. - Column 2, Lines 6-27; Column 7, Lines 1-6 &48-56*).

Consider claim 12, as applied to claim 11 above, Eichert et al. as modified by Forslow further discloses code for conditioning said selection of said identified policy upon occurrence of an event (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56*).

Consider claim 13, as applied to claim 12 above, Eichert et al. as modified by Forslow further discloses code for distributing said identified policy to said particular one of said access point groups upon said occurrence of said event (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-10*).

Consider claim 14, as applied to claim 13 above, Eichert et al. as modified by Forslow further discloses code for associating said at least one policy with a particular access point in said particular one of said access point groups (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider claim 15, as applied to claim 14 above, Eichert et al. as modified by Forslow further discloses code for distributing said identified policy to said particular access point in said particular one of said access point groups (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider claim 16, as applied to claim 10 above, Eichert et al. as modified by Forslow further discloses code for communicating said at least one policy from at least one of a switch and a server to at least one access point in said plurality of access point groups (*Eichert et al. -Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider claim 17, as applied to claim 16 above, Eichert et al. as modified by Forslow further discloses code for broadcasting said at least one policy from said at least one of a switch and a server to said at least a portion of said plurality of access point groups (*Eichert et al. -Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 "" Forslow- Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6,paragraph 0095*).

Consider claim 18, as applied to claim 17 above, Eichert et al. as modified by Forslow further discloses code for distributing said at least one policy via at least one messaging protocol message (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 :: Forslow - Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095*).

Consider claim 20, as applied to claim 19 above, Eichert et al. as modified by Forslow further discloses means for identifying said associated policy to be distributed to said particular one of said access point groups (*Eichert et al. - Column 2, Lines 6-27; Column 7, Lines 1-6 &48-56*).

Consider claim 21, as applied to claim 20 above, Eichert et al. as modified by Forslow further discloses means for conditioning said selection of said identified policy upon occurrence of an event (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56*).

Consider claim 22, as applied to claim 21 above, Eichert et al. as modified by Forslow further discloses means for distributing said identified policy to said particular one of said access point groups upon said occurrence of said event (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-10*).

Consider claim 23, as applied to claim 22 above, Eichert et al. as modified by Forslow further discloses means for associating said at least one policy with a particular access point in said particular one of said access point groups (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider claim 24, as applied to claim 23 above, Eichert et al. as modified by Forslow further discloses means for distributing said identified policy to said particular access point in said particular one of said access point groups (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider claim 25, as applied to claim 19 above, Eichert et al. as modified by Forslow further discloses means for communicating said at least one policy from at least one of a switch and a server to at least one access point in said plurality of access point groups (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider claim 26, as applied to claim 25 above, Eichert et al. as modified by Forslow further discloses means for broadcasting said at least one policy from said at least one of a switch and a server to said at least a portion of said plurality of access point groups (*Eichert et al. -Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 ::Forslow- Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095*). Consider claim 27, as applied to claim 26 above, Eichert et al. as modified by Forslow further discloses means for distributing said at least one policy via at least one messaging protocol message (*Eichert et al. - Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 :: Forslow - Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095*).

#### ***Response to Arguments***

4. Applicant's arguments filed 06/03/10 have been fully considered but they are not persuasive.

In response to the applicant's argument regarding the amended claims "**only one access point in the particular one of the access points**".

Each of independent claims 1, 10, and 19 (App. Br. 6-8); (ii) teaches a single network device as opposed to a plurality of access points in groups (App. Br. 6-8); and (iii) sends the policy to all access points (i.e., to the entire network), and not just one or a "particular" access point (Reply Br. 4-5).

We note that Appellants' third line of argument with regard to claims 1, 10, and 19, that Eichert sends the policy to all points and not a particular one, is not commensurate in scope with what is claimed. In other words, the claimed invention set forth in claims 1, 10, and 19 does not require that the policy be sent to only some or one of the access points, and not to the others. Under the broadest reasonable interpretation, claims 1, 10, and 19 encompass a system and method that could potentially send a policy to all of the access points, but associates and distributes that policy to "at least one access point" as set forth in claims 1, 10, and 19. Accordingly, the obviousness issue presented only concerns Appellants' first and second contentions discussed supra.

Eichert describes a system and method for distributing a policy to a network that contains a plurality of "nodes" or "[m]ultiple network devices" such as routers, remote access equipment, switches, repeaters and network cards (see Abs.; Figs. 1, 3; col. 2, 11. 1-54; col. 4, 11. 1-18; col. 7, 11. 31-56; col. 8, 11. 31-42; col. 9, 11. 1-32; claim 1 at col. 12, 11. 33-53). Eichert describes a policy management system with a policy implementation component that can "define how the network device should behave when confronted **with a particular situation**" (Abs.) According to Eichert, policy is implemented when "a signal indicating that a new policy... is available" (col. 4, 11. 13-14). And, this occurs when a file is deposited onto a server or storage device, which "can

occur in many ways including, but not limited to, the changing of a state or variable that the enforcement device monitors" (col. 4, 11. 10-12), or can occur when instructions have been input (col. 2, 11. 47-54; col. 7, 11. 1-30; col. 9, 11. 11-17)..

Specifically, Eichert describes a policy management system for distributing a policy to a "variety of network devices, i.e., nodes or active nodes, such as routers, remote access equipment, switches, repeaters, network cards, and end system processes having security functions" (col. 2, 11.9-12).

Eichert defines the policy by defining how the network device **should work in particular situations (Abs.)**, and policy enforcement is described as serving "to enforce the defined policy" (col. 2, 11. 20-23).

Eichert describes a system administrator for inputting instructions representing policy using GUI and interface 101 of management station 100 (col. 7, 11. 1-7).

Eichert describes issuing policy through the network using network devices such as switches and/or servers (Abs.; col. 2, 11. 10-11 and 28-33; col. 4, 11. 1-18).

Eichert describes using "rules" or "protocols" for distributing policy (col. 7, 1. 53; col. 8 discussing rules, objects, and format; col. 9, 1. 19 discussing protocols).

Forslow describes distributing policy using "routing protocols" (q[q[

[0034], [0095]).

Forslow describes issuing policy using multicasting, groupcasting or xcasting, unicasting, and Bluetooth (q[ [0034], [0088], and [0095]).

#### Obviousness

In rejecting claims under 35 U.S.C. § 103, it is incumbent upon the Examiner to establish a factual basis to support the legal conclusion of obviousness. See *In re Fine*, 837 F.2d 1071, 1073 (Fed. Cir. 1988). The

At the outset, we note that each of the independent claims on (claims 1, 10, and 19) recites the same subject matter that is at issue in this case: associating at least one policy **with a particular one of the access point groups**.

The Examiner's rejection with respect to independent claims 1, 10, and 19 for the reasons that follow. The Examiner's findings of fact and conclusions of obviousness with respect to claims 1, 10, and 19 (Arts. 3-13), and adopt them as our own, along with some amplification of the Examiner's explanation of the teachings of Eichert (FF 1-7) and Forslow (FF 8, 9). See *Fine*, 837 F.2d at 1073; *Kahn*, 441 F.3d at 988.

Eichert discloses or suggests associating **at least one policy with a particular one** of an access point groups as recited in claims 1, 10, and 19 because the broadest reasonable interpretation of the access points and access point groups of the claims encompasses the network devices



described by Eichert as including "nodes or active nodes, such as routers, remote access equipment, switches, repeaters, network cards, and end system processes having security functions" (FF 1, 3). In addition, one of ordinary skill in the art at the time of Appellants' claimed invention would understand that any of the nodes, switches, or routers described by Eichert (i.e., network devices) could consist of access points which could be grouped into groups of access points. In other words, Eichert's description of nodes, switches, and routers encompasses the "access points" and "groups of access points" claimed by Appellants in claims 1, 10, and 19 since all of these elements are points at which a person could access the internet/network.

Claims 1, 10, and 19 merely require that at least one policy be associated with, and distributed to, **only one** an access point (see claims 1, 10, and 19). The broadest reasonable interpretation of the phrases "access point" and "access point group" would include the router, switches, and/or nodes of Eichert. See Am. Acad. of Sci. Tech. Ctr., 367 F.3d at 1364. In other words, the broadest reasonable interpretation of claims 1, 10, and 19 merely requires that a policy be associated with an access point and then be distributed to **only one access point** in the plurality of access point groups (i.e., network). The broadest reasonable interpretation of claims 1, 10, and 19 does not require the system, method, and machine executable code to associate and distribute the policy with respect to **only one** of the access

points as opposed to all of the access points. Therefore, in light of our findings with respect to Eichert (FF 1-7) supra, Eichert and Forslow in combination disclose or suggest all of the limitations of the independent claims as broadly interpreted.

The Examiner has provided articulated reasoning with a rational underpinning to support the combination for the legal conclusion of obviousness (Ans. 3-8). See Kahn, 441 F.3d at 988. Applicant's demonstrated that the Examiner erred in relying on the combination of Eichert and Forslow as teaching or suggesting a system, machine executable code, and method for hardware acceleration in a wired local area network including associating at least one policy with a particular one of the access point groups, as set forth in independent claims 1, 10, and 19. Applicant's contentions (App. Br. 6-9; Reply Br. 5) that Eichert (and thus the combination of Eichert and Forslow) fails to disclose or suggest (i) plural access point groups, or (ii) associating a policy with **a particular one** of those groups are unpersuasive in light of our findings with respect to Eichert (FF 1-7) and our claim interpretation discussed supra. Applicant's argument (Reply Br. 4, 5) that Eichert associates a policy with all of the network devices instead of just one, and therefore distributes the policy to the entire networks. For all of the above reasons, Applicant's arguments have not persuaded us of error in the Examiner's rejection of claims 1, 10, and 19 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Eichert and Fowslow. One of ordinary skill

in the art would have found Applicant's claimed subject matter in claims 1, 10, and 19 obvious in light of the combination of Eichert and Forslow. Accordingly, we sustain the rejection of claims 1, 10, and 19.

Claims 2, 11, and 20

Turning next to claims 2, 11, and 20, we will likewise sustain the obviousness rejection of these claims because Eichert discloses defining a policy (see FF 1, 4), and this is equivalent to "identifying" a policy as recited in the claims.

Claims 3, 12, and 21

Turning next to claims 3, 12, and 21, we will sustain the obviousness rejection of these claims because we agree with the Examiner (Ans. 7, 8, 10, and 14) that Eichert's description of distributing policy when a signal indicating a new policy is available, and doing so based on the "changing of a state or variable" that is being monitored (FF 2), is tantamount to the recited "occurrence of an event" (claims 3, 12, and 21).

Claims 4, 13, and 22

Turning next to claims 4, 13, and 22, we will sustain the obviousness rejection of these claims because we agree with the Examiner (Ans. 7, 8, 10, and 14-15) that Eichert discloses distributing a defined, thus identified,

policy to an access point group upon the occurrence of an event as discussed supra with respect to (i) claims 1, 10, and 19, and (ii) claims 3, 12, and 21.

Claims 5, 14, and 23

Turning next to claims 5, 14, and 23, we will sustain the obviousness rejection of these claims for the reasons provided by the Examiner (Ans. 7, 9, 10, and 15) and for the same reasons discussed supra with respect to claims 4, 13, and 22 from which these claims ultimately depend.

Claims 6, 15, and 24

Turning next to claims 6, 15, and 24, we will sustain the obviousness rejection of these claims for the reasons provided by the Examiner (Ans. 7, 9, 10, and 16) and for the same reasons discussed supra with respect to claims 4, 13, and 22 from which these claims ultimately depend.

demonstrated any reversible error in the Examiner's findings and conclusions with respect to claims 1 to 27.

**Conclusion**

5. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELODY MEHRPOUR whose telephone number is 5(571)272-7913. The examiner can normally be reached on Mon-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached (571) 272-7023.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Naghmeh Mehrpour/

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